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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/982,709

10/18/2001

Andrew C. Gilbert

01-1041

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63710

7590

07/20/2009

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NEW YORK, NY 10022

EXAMINER

WINTER, JOHN M

ART UNIT

PAPER NUMBER

3685

MAIL DATE

DELIVERY MODE

07/20/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 09982709 | 10/18/2001 | GILBERT ET AL. | 01-1041 |

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EXAMINER

JOHN M. WINTER

| ART UNIT | PAPER |
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| 3685 | 20090707 |

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Commissioner for Patents

A1. The USPTO's Board of Patent Appeals and Interferences ("Board") returned this application to the Examiner. See "Order Returning Undocketed Appeal to Examiner" mailed June 9, 2009 ("2009 Order").

A2. In the 2009 Order, the Board ordered the Examiner to:

- (1) to consider the Amendment filed on April 24, 2009.
- (2) for such further action as may be appropriate.

A3. In accordance with (1) above, the Examiner states that the Amendment filed on April 24, 2009 has been fully considered and will not be entered, additionally the IDS filed on July 6, 2009 has been fully considered

A4. In accordance with (2) above, it is the Examiner's position that no further action is necessary.